

Serial No. 10/534,550

Amendment in Response to Office Action dated April 10, 2007

Date of electronic submission of Amendment: July 23, 2007

REMARKS/ARGUMENTS

The courtesy extended by the patent examiner during the interview of July 20, 2007 is acknowledged.

Claims 1-5, 12, 21 and 25-33 are pending. Claims 6-11, 13-20 are canceled.

Claims 4, 12, 21, 24, 26 are rejected under 35 USC 112, second paragraph, as being indefinite.

Claim 4 is indefinite due to the use of “and/or”. The wording was changed to “or”.

Claims 12 and 24 are deemed to have an improper Markush group due to the phrase “a group consisting of”, instead of “the group consisting of”, and is thus indefinite. Claims 12 and 24 are amended so the Markush group phrase reads “the group consisting of”. Claim 21 now recites “disconnect device”, which is consistent with paragraph [0038] of the specification. Claim 26 is amended to recite Markush group format so as to overcome its indefiniteness rejection.

Claims 1-5, 12, 21 and 24-33 were rejected as being unpatentable under 35 USC 103(a) over US Patent No. 5,572,984 to Alden et al. in view of US Patent No. 3,858,091 to Wilkinson and Vent Master Modular Distribution System (MDS). These rejections are traversed.

Independent claim 1 recites in effect a frame, a utility chassis within the frame and that the utility chassis include a plurality of clusters of different kinds of connectors for making utility connection.

As can be appreciated, there is tremendous versatility by having such identical clusters within a utility chassis in a frame since it allows interchanging of appliance units without relying upon a skilled tradesman to

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customize the utility connections specific to the type of appliance unit.

Alden shows a frame with different kinds of appliance units, but they are in effect custom connected to the utilities they need. Wilkinson shows a electrical socket strip inside a frame of utility connections whose relative arrangement is identical, but all the connections are identical kinds, i.e., electrical sockets.

While Ventmaster shows a raceway containing a group of different kinds of utility lines to enable the tapping off connections, only one set (as opposed to multiple clusters) is within the raceway. Further, the raceway would be installed typically in the building apart from the frame containing the appliances and thus would not be in the same frame that holds the utility chassis, clusters of different kinds of utility connections, or appliance units.

Even if one were to substitute the internals of the electrical socket strip of Wilkinson by this VentMaster raceway, one would still be faced with having only uniform electrical sockets with which to make connection..Thus, providing different kinds of utility connections whose relative arrangement is identical for each cluster is simply beyond such a modification of Alden by Wilkinson and Ventmaster.

Alden et al. does NOT disclose any counterpart to the recited utility chassis within the frame or the recited clusters each with different types of connectors suited to provide access to utilities. Fig. 3 of Alden fails to show interchangeable appliance units, because each has its own unique utility requirements that requires a skilled tradesperson to customize the appropriate utility service connection to the receptacle in the frame corresponding to where the appliance is situated within the frame. Storage cabinets are in the middle.

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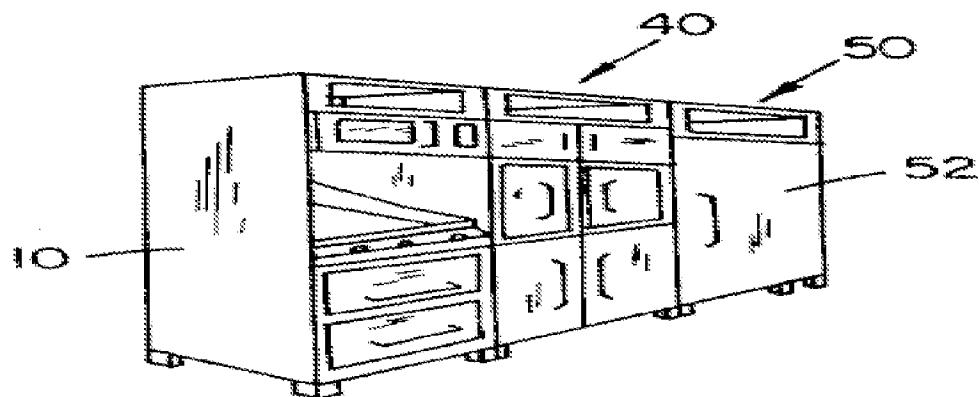
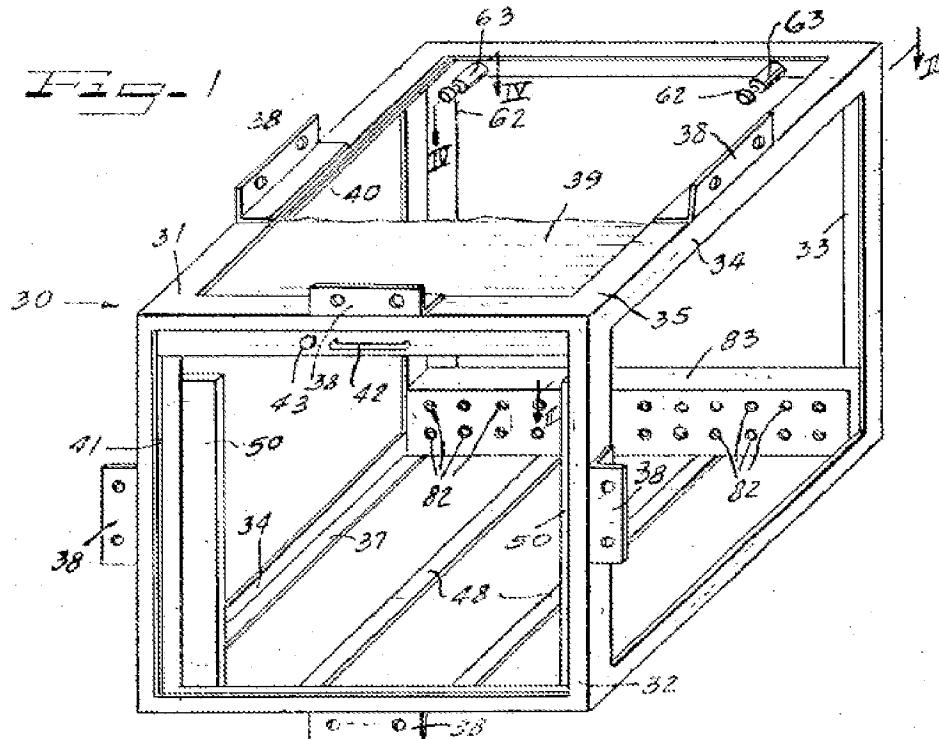


Figure 3

Wilkinson shows at least one connector 82 for connecting the appliance units to utilities as needed. Instead of providing for different kinds of utility connectors, the jack bar 83 of Wilkinson contains jack sockets or contacts 82 each of an identical type suited to provide just electrical utility service. In contrast, claim 1 of the present application recites "a plurality of clusters each with different types of connectors suited to provide access to utilities".



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Wilkinson describes a single frame, capable of accommodating a single appliance with a single utility source, which is directly connected to a stationary housing to energize connections within the housing. When engaged, the housing energizes the appliance with the single utility source available via an interface of a male and female connection format.

The Office Action recognizes that neither Alden et al. nor Wilkinson reveal the cluster concept for utility connections or the utility chassis within the frame.

To make up for this deficiency in Alden et al. and Wilkinson, the Office Action turns to Vent Master Modular Distribution System (MDS), hereinafter referred to as "MDS". MDS is relied upon to show providing a utility chassis with clusters each with different types of connectors in relative positions within associated ones of the clusters in a manner that is identical for each of the clusters.

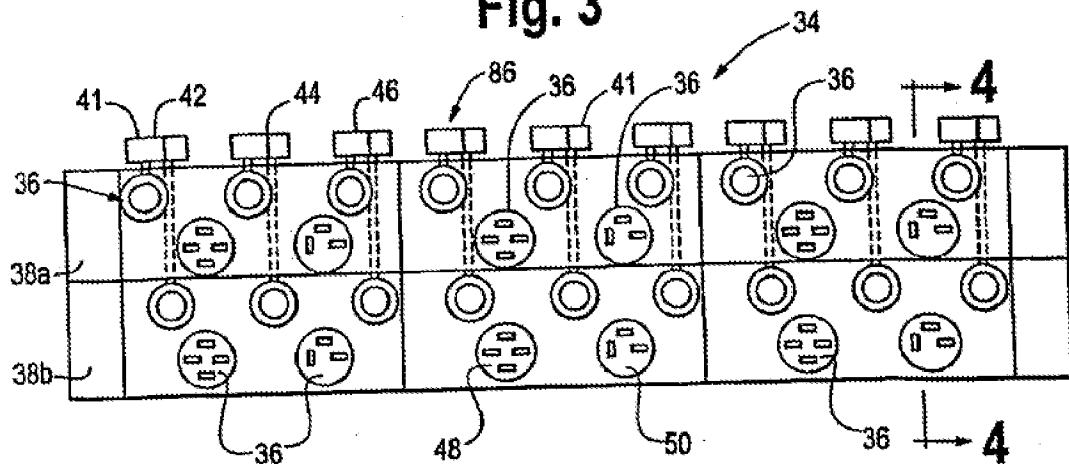
However, a comparison between Fig. 3 of the present application and the MDS Raceway Schematic (each is reproduced immediately following) reveals otherwise. While successive clusters of different kinds of utility connections in Fig. 3 of the present application are uniform or identical, the branch plumbing connections in the MDS Raceway Schematic are not so shown.

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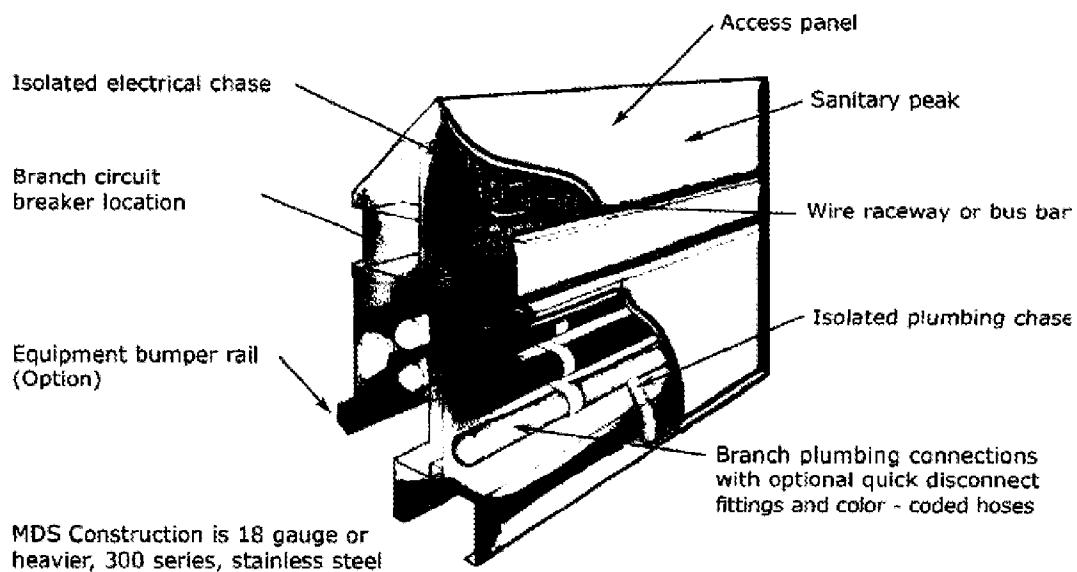
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Fig. 3



MDS Raceway Schematic



MDS simply provides a raceway for utilities, which are extended out of the bottom of the MDS raceway. Indirect connectors are utilized to connect the equipment to the utility source conveyed by the MDS. While modifications are possible with the MDS, the efforts of a skilled electrician, plumber, or other such trades people are required to make such modifications. The required utilities for

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each appliance are extended from the MDS to the appliance via indirect connection. Individualized utility access points are provided based upon the utility requirements of each individual appliance. Only those utilities required for the individual appliances are provided at the appliance's indicated location. Thus, utility connection configurations from the MDS to the appliance are not uniform. Indirect connection formats are used between the MDS and the appliance units.

Further, the utility lines in the MDS raceway are not contained within the same "frame" that holds interchangeable appliance units in contrast to the recitation of claim 1. Thus, the MDS raceway is separate and as such must be separately accommodated in an installation, which requires a skilled tradesperson in the art to extend connections as necessary to enable access to utility service within the MDS raceway by appliances.

That is, to employ the MDS system, a skilled tradesperson in the art is required to install the system to flow through the appropriate appliance(s). MDS simply provides a chase or raceway for utilities, which are extended out of the bottom of the MDS chase. Indirect connectors are utilized to connect the equipment to the utility source conveyed by the MDS.

In the event that a piece of equipment is relocated, the internal distribution conduits of the UDS may be accessed by skilled tradespersons, who must individually extend the required utilities for the appliance to its new location if such required utilities do not already exist at that location.

The MDS serves the same function as a standard building wall, with utilities running through the available space. It has the added advantage of pre-wiring and pre-plumbing as an option, as well as improved access for long-term modifications.

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The MDS is designed to work with existing foodservice appliances and does not in any way support the interchangeability claims *within* the equipment footprint.

In contrast, the present invention features a frame structure, which may be energized by single or multiple utility formats (i.e., "different types of connectors"). Indeed, the frame may be viewed as an internal distribution system with connected utilities relayed to a series of uniform ("identical") connection clusters in the frame for engagement of the appliances. All utilities are available from each cluster at all times, yet only the utilities required by the appliance are engaged for direct interconnection. Those utilities that are not required are not engaged, and thus do not distribute within the specific cluster. No indirect connections are required and no skilled tradesperson work is needed for making connections between the appliance and the utilities within the housing, in contrast to Alden and UDS. Further, the present invention as claimed offers the capability for engagement of appliances of varying size, yet all will work with the utility cluster configuration.

Withdrawal of the rejection is requested.

Respectfully submitted,

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